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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/545,034	04/06/2000	Eduardo Cue	P2512/560	9025

  

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BUCHANAN, INGERSOLL & ROONEY PC		
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EXAMINER	
ZURITA, JAMES H	

  

ART UNIT	PAPER NUMBER
3625	

  

NOTIFICATION DATE	DELIVERY MODE
01/10/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com  
debra.hawkins@bipc.com

## Office Action Summary

**Application No.**

09/545,034

**Applicant(s)**

CUE ET AL.

**Examiner**

James H. Zurita

**Art Unit**

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 94-111 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 94-111 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/ are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 05/10/2007.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/22/2007 has been entered.

### ***Response to Amendment***

On 22 October 2007, applicant cancelled pending claims 74, 76-81 and 83-93.

Applicant added claims 94-111.

Claims 94-111 are pending and will be examined.

### ***Response to Arguments***

Applicant's arguments filed 10/22/2007 have been fully considered but they are not persuasive.

For arguments concerning Bezos and new claims, please see new rejection.

### ***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 94-111 are rejected under 35 U.S.C. 102(e) as being anticipated by Bezos et al. (US 6029141).

**As per claim 94**, Bezos discloses system and methods for presenting customized information at an electronic commerce site, comprising:

- a database in a computer system storing information relating to products offered by a vendor at an electronic commerce site; database 136, web site 186.
- an administrative application that executes on a computer to provide an administrator with an interface to view said information relating to said products and to store in said database configuration data that defines a custom store having at least one of a restricted set of said products and non-standard pricing for said products; (e.g., discounts, special prices, pricing incentives as in Col. 7, lines 46-51, Col. 14, lines 38-51);
- a custom store application that executes on a computer and that examines a referrer header field in an HTTP request from a customer for access to said electronic commerce site to determine whether said referrer field indicates that said customer request originated from a predetermined host and, if the referrer field indicates that the request originated from said predetermined host, generates and causes to be displayed a custom store page from said vendor's electronic commerce site that contains the restricted set of said products and/or the non-standard pricing for said products defined by configuration data associated with said predetermined host. (valid associate ID, as in Col. 14, line 38-51), wherein configuration data that is

associated with said predetermined host is selected to generate and return said custom store page (as in Fig. 8 and related text, for example).

As per claim 95, Bezos discloses that the database stores standard prices for said products and said configuration data includes discount pricing information, and wherein said custom store application automatically calculates discounted prices from said stored standard prices for display on said custom store page. See, b; list price, our price, you save in for example, Fig. 10.

As per claim 96, Bezos discloses that the database stores configuration data for a plurality of different custom stores, and wherein said custom store application selects configuration data that is associated with said predetermined host to generate and return said custom store page. (see, for example, at least Col. 2, lines 18-39),

As per claim 97, Bezos discloses that the request includes an identification of the custom store to be selected. See, for example, at least Fig. 4 and related text.

As per claim 98, Bezos discloses that the identification is contained in said referrer header field of the request. (e.g., Col. 6, line 59-Col. 7, line 5).

Claim 99 is rejected on the same grounds as claim 94.

Claim 100 is rejected on the same grounds as claim 95.

Claim 101 is rejected on the same grounds as claim 96.

Claim 102 is rejected on the same grounds as claim 97.

Claim 103 is rejected on the same grounds as claim 99.

Claim 104 is rejected on the same grounds as claim 100.

Claim 105 is rejected on the same grounds as claim 101.

Claim 106 is rejected on the same grounds as claim 97.

Claim 107 is rejected on the same grounds as claim 98.

Claim 108 is rejected on the same grounds as claim 94.

Claim 109 is rejected on the same grounds as claim 95.

Claim 110 is rejected on the same grounds as claim 96.

Claim 111 is rejected on the same grounds as claim 102.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Zurita whose telephone number is 571-272-6766. The examiner can normally be reached on 8a-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**James Zurita**  
**Primary Examiner**  
**Art Unit 3625**  
5 January 2008.



JAMES ZURITA  
PRIMARY EXAMINER